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IN THE U.S. PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

GALDERMA S.A.  
Opposer

V.

Opp. No.: 91187019

SPECCHIASOL S.R.L.  
Applicant

# 77079 304

To the Hon. Asst. Comm. Of Trademarks  
P.O. Box 1451  
Arlington, VA 22313-1451

RENEWED MOTION FOR SIX MONTH SUSPENSION

Applicant, SPECCHIASOL S.R.L., with the express consent of G. Mathew Lombard, Esq., attorney for the Opposer, is renewing its motion filed 8 July 2010 for a further six month suspension of the opposition proceeding, including the time by which Applicant must file an Answer to the Notice of Opposition. Applicant and Opposer continue to directly negotiate to try to resolve this opposition on an amicable basis. Opposer and Applicant are discussing directly a proposed offer of settlement from the Opposer

09-21-2010

The parties need more time in order to finalize the details of the settlement and complete the negotiations.

Applicant and Opposer are aware that the Board has requested more details concerning the progress of the settlement negotiations before the Board will agree to further suspensions of the opposition. In a communication mailed 23 August 2010, the Board has requested that the parties identify the issues that they have already resolved, the issues that they have yet to resolve, and a timetable for resolving the issues that remain unresolved.

Applicant is glad to report that the parties have made substantial progress in reaching a negotiated settlement. Counsel for the Opposer has drafted a proposed settlement agreement and has provided the Applicant with the proposal on 17 August 2010. Applicant is now considering the proposal with a view toward completing the agreement in the near future.

The most important issue that the parties have resolved is the form of the Applicant's EPID mark. The Opposer wanted Applicant to abandon the present application for the mark EPID and re-file the application for the mark as E.P.I.D., that is with a period following each of the letters in the mark. Applicant maintained that such a change would drastically alter the character of the mark and the Applicant's whole marketing program for its products in the United States. Following negotiations over many months, the parties have now agreed that Applicant may maintain the mark as EPID.

There are still issues, however, that need to be resolved. Those issues are as follows:

1. Whether Applicant must agree to use its EPID mark only with PROPOLIS and only with its house mark/tradename SPECCHIASOL, and whether the size and font of the EPID mark must be restricted;

2. Whether Opposer may use its mark EPIDUO for non-pharmaceutical products, where the definition of non-pharmaceutical products clearly excludes non-prescription, over-the-counter anti-acne products, so that these products are in fact pharmaceutical products that Opposer will be free to market under the EPIDUO mark; and


3. Whether Applicant will agree not to use its mark EPID on any product identified in International Class 5 that is a pharmaceutical product, and whether medicinal herbal extracts in the nature of balsamic syrups for medical purposes and syrups for medical purposes containing propolis constitute pharmaceutical products.

If the Board grants the motion for a further six month suspension of the opposition, the parties plan to communicate regularly over the next six months in a diligent, good faith manner to seek an amicable resolution of these three issues. The parties hope to resolve all of these issues or at least some of these

issues over the next six months, but cannot guarantee that all issues will have been resolved once the six month period has elapsed.

In view of the above, Applicant asks that the Board grant the six month suspension.

K.F. Ross B.C.

  
By: Jonathan Myers, 26,963  
Attorney for Applicant

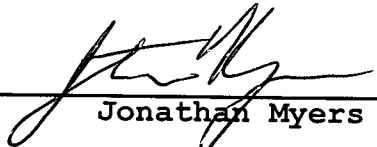
17 September 2010  
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION FOR SIX MONTH SUSPENSION was served via first class United States mail, postage prepaid, on the attorney for Opposer.

G. Mathew Lombard, Esq.  
Lombard & Geliebter  
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New York, NY 10169

Sept 17, 2010  
Date

  
Jonathan Myers